

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:07CR3047
)	
V.)	
)	
DANIEL LEE CLEARY,)	ORDER
)	
Defendant.)	
)	

A telephone conference was held with counsel this date on the defendant's oral motion for furlough. Upon consideration of the defendant's request and the government's agreement to same,

IT IS ORDERED:

Defendant's oral motion for furlough is granted and the U.S. Marshal shall release the defendant for one 24-hour period to allow him to visit his newborn children. The furlough shall be as arranged by the U.S. Marshal Service and shall end not later than 5:00 pm on July 20, 2007.

Defendant's counsel shall arrange the appropriate transportation from and to the jail facility in which the defendant is being held. The U.S. Marshal shall advise PTS Officer Mindy S. Bare of the time and day of the defendant's release and his return to custody and the person to whose custody he is released.

During the furlough defendant shall abide by the following conditions of release:

- (1) The defendant shall not commit any offense in violation of federal, state or local law.
- (2) The defendant shall:
 - (a) Truthfully report to the supervising officer as directed (Phone: 402-437-5795).
 - (b) Avoid all contact, directly or indirectly, with any persons, who are or who may be involved with the subject investigation or prosecution as a victim, potential witness, juror, or otherwise.

- (c) Surrender any passport to the supervising officer, and obtain no passport.
- (d) Not leave the county in which his children are hospitalized without prior permission from the supervising officer or the court.
- (e) Not be with, associate with, or communicate with persons known or suspected to be or to have been involved in illegal possession of weapons or weapons trafficking.
- (f) Refrain from possessing a firearm, destructive device, or other dangerous weapon.
- (g) Refrain from [x] any [] excessive use of alcohol, and shall not be found in a business or other premises at which alcohol is served or sold.
- (h) Refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802 unless prescribed by a licensed medical practitioner.
- (i) Submit to testing--by any methods--required or directed by the supervising officer for determining use of a prohibited substance, and refrain from obstructing or attempting to obstruct the accuracy of such testing. All collections of fluids for testing shall be at the defendant's expense, payable at the time of collection.
- (j) Report as soon as possible to the supervising officer any contact with any law enforcement personnel including, but not limited to, any arrest, questioning, or traffic stop.
- (k) Submit to search of person, living premises, and/or any vehicle owned or occupied by defendant, upon request of law enforcement or the supervising officer.

DATED this 16th day of July, 2007.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge